

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

STANSON R. HEMPHILL,

Petitioner - Defendant,

-vs-

UNITED STATES OF AMERICA ,

Respondent - Plaintiff.

\*

CASE NO.1:04-cv-00351 (CR-1-01-039)

\*

JUDGE BECKWITH

\*

\*

\*

---

**MOTION TO RESET EVIDENTIARY HEARING DATE**

---

**COMES NOW**, Counsel for the Petitioner-Defendant herein, Stanson R.

Hemphill, and requests that this court reset the Evidentiary Hearing date currently scheduled for

January 17, 2006. In support thereof, Counsel states the following.

1. That this court entered an evidentiary hearing in this case due in part to the claims made by the Petitioner, at that point acting pro se, as to Robin Hicks' proposed testimony in the case. It is Counsel's belief that Robin Hicks is a critical witness to the evidentiary hearing.
2. That Counsel needs additional time to obtain Ms. Hicks' attendance at the hearing.
3. That the United States will not be harmed by this extension as the Defendant remains incarcerated.

**WHEREFORE**, Counsel respectfully requests that this court reset the hearing date  
at a date convenient to the Parties.

Respectfully submitted,

s/Kevin M. Schad  
Kevin M. Schad  
*Attorney for Petitioner-Defendant*  
SCHAD & SCHAD  
1001 W Main St, Ste F  
Lebanon, Ohio 45036  
513.933.9333; Fax 513.933.9375  
Email: kevinschad@yourattorneys.net

**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2006, I electronically filed the foregoing with the Clerk  
of the Court using the CM/ECF system which will send notification of electronic filing to the  
following: Anthony Springer, Office of the U. S. Attorney, 221 E. Fourth Street, Suite 400,  
Cincinnati OH 45202.

s/Kevin M. Schad  
Kevin M. Schad (0061802)  
*Attorney for Petitioner-Defendant*  
SCHAD & SCHAD  
1001 W. Main St, Suite F  
Lebanon, Ohio 45036-7955  
Phone: 513-933-9333; Fax 513-933-9375  
E-mail: kevinschad@yourattorneys.net